

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerolf Zimmermann et al.
Serial No: 10/540,215
Filed: 6/20/2005
Title: Method and Means for Determining Specific Conditions or Changes in the Uterine Epithelium and in the Epithelium of other Organs
Examiner: Suchira Pande
Art Unit: 1637

Commissioner for Patents

Alexandria, VA 22313-1450

**LETTER ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION
RE REPLY PERIOD AND TIME EXTENSION FEE**

In the advisory action the examiner has checked the box 1.a. "The period for reply expires 3 months from the filing date of the final rejection.".

This is incorrect. The response to the final rejection was filed 2/11/08 which is the Monday after the two-month response period ending 2/10/08. **MPEP 706.07(f) Time for Reply to Final Rejection** sets forth that:

"If the last day of "2 months of the date of the final Office action" falls on Saturday, Sunday, or a Federal holiday within the District of Columbia, and a reply is filed on the next succeeding day which is not a Saturday, Sunday, or a Federal holiday, pursuant to 37 CFR 1.7(a), the reply is deemed to have been filed within the 2 months period and the shortened statutory period will expire at 3 months from the date of the final rejection or on the mailing date of the advisory action, whichever is later."

The reply submitted on 2/11/08 thus has been timely filed within the 2 month period and the reply period therefore expires on the **mailing date of the advisory action** since this date is later than 3 month from mailing date of the final rejection. Therefore, the response mailed today requires only a **1 month time extension fee** vis-a-vis the **mailing date of the advisory action of March 18, 2008.**

Respectfully submitted on April 18, 2008,
/Gudrun E. Huckett/

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